

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **STEPHANIE LORAIN GARCIA MONTANEZ**  
SSN xxx-xx-0704

CASE NO: **20-01036-ESL**

Debtor(s)

**Chapter 13**

**STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION**

Petition Filing Date: **02/28/2020**

First Meeting Date: **04/02/2020 at 11:00AM**

Days From Petition Date: **89**

341 Meeting Date: **05/26/2020 at 10:45AM**

910 Days Before Petition: **09/01/2017**

Confirmation Hearing Date: **05/06/2020 at 2:00PM**

Chapter 13 Plan Date: **02/28/2020** ☐ Amended

Plan Base: **\$14,700.00** Plan Docket # **4**

This is Debtor(s) 1 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$200.00**

Check/MO# \_\_\_\_\_

Date: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

\*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

☐ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): \_\_\_\_\_

☐ Pro-se

☒ Creditor(s) Present ☐ None

TREASURY - VELEZ; BPPR- RIVERA

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$132.00** Outstanding (Through the Plan): **\$3,868.00**

\*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)  
Projected Disposable Income: \$ 0.00

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately (\$2,180.00)

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: TBD %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED

☐ HELD OPEN FOR \_\_\_\_ DAYS until \_\_\_\_\_ pursuant to 1308. After this date the meeting is deemed CLOSED.

§341 Meeting Rescheduled for: \_\_\_\_\_

Comments:

\*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has failed to submit pay stubs (from spouse) pertaining to the months of January 2020.

- 1325 (a)(5)(A): Secured creditor(s) provided for in the plan has/have NOT ACCEPTED the same.

- Plan proposed for the payment of the value of the collateral to Banco Popular de PR, however, debtor failed to notify the plan pursuant to Federal Rules of Bankruptcy Procedure 7004.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Fails to disclose income.

- Debtor will amend the Schedule I and J to include debtor's current income.

Adequate Protection Payments

- The plan needs to be amended to correct the maturity date for June 14, 2023.

\*OTHER COMMENTS / OBJECTIONS

NONE

/s/ Jose R. Carrion, Esq. Meeting Date: May 26, 2020  
Trustee

/s/ Mayra Arguelles, Esq., Presiding Officer